

FILED BY SCW D.C.

DEC 20 2022

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - FT. PIERCE

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

SOUTHERN District of FLORIDA

FT. PIERCE Division

Case No. _____

(to be filled in by the Clerk's Office)

ROOSEVELT SHAWN SMITH III

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

"SEE ATTACHED"

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which
you have been known:

ID Number

Current Institution

Address

ROOSEVELT SHAWN SMITH III

BLACK MESSAGE ALAN
HCS005MNT-022004

HAWAII COUNTY DETENTION FACILITY/JAIL

338 S. ORANGE ST.

SEBASTIA

FL

33870

City

State

Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

CELL SEARCH TEAM (C.S. TEAM) (FROM MICHIGAN 09/22/2022)

HAWAII COUNTY DETENTION FACILITY/HAWAII COUNTY JAIL

338 S. ORANGE ST.

SEBASTIA

FL

33870

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

DALE E. VARGAS

LIEUTENANT (L.T.)

#2140

HAWAII COUNTY DETENTION FACILITY/HAWAII COUNTY JAIL

338 S. ORANGE ST.

SEBASTIA

FL

33870

City

State

Zip Code



Individual capacity



Official capacity

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

Defendant No. 3

Name

BOBBY J. GREEN

Job or Title (if known)

CAPTAIN (CAPT.)

Shield Number

#2088

Employer

HAWAII COUNTY DETENTION FACILITY/HAWAII COUNTY JAIL

Address

338 S. ORANGE ST.

SEBRING

FL

33870

City

State

Zip Code



Individual capacity



Official capacity

Defendant No. 4

Name

TIMOTHY J. WETHERS & PENNAKIS

Job or Title (if known)

MAJOR & CAPTAIN (CAPT.)

Shield Number

#2063

Employer

HAWAII COUNTY DETENTION FACILITY/HAWAII COUNTY JAIL

Address

338 S. ORANGE ST.

SEBRING

FL

33870

City

State

Zip Code



Individual capacity



Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

Federal officials (a *Bivens* claim)

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

"SEE ATTACHED"

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

ATTACHED (DEFENDANT(S)) [CAPTION] PAGE 1 OF 18

CELL SEARCH TEAM (C.S. TEAM), HCD7/HCT (FROM THE MORNING OF SEPTEMBER 22, 2022)

LIEUTENANT (LT.) DALE E. VAUGHN ID# 2140, HCD7/HCT

CAPTAIN (CAPT.) BOBBY J. GREEN ID# 2088, HCD7/HCT

MAJOR TIMOTHY J. WETHBRIDGE ID# 2063, HCD7/HCT & CAPTAIN (CAPT.) PENNICKS, HCD7/HCT

HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL (HCD7/HCT)

O. HOLMES ID# 2696, HCD7/HCT

DOD C. COLE ID# 2535, HCD7/HCT

SUSAN BENTON, SHERIFF (HIGHLANDS COUNTY)

PAUL BLACKMAN, SHERIFF (HIGHLANDS COUNTY)

SERGEANT (SGT.) J. LOTT ID# 2191, HCD7/HCT

HIGHLANDS COUNTY

THE DEFENDANT(S)

DEFENDANT No. 5

NAME HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL

JOB OR TITLE (IF KNOWN)

SHIELD NUMBER

EMPLOYER

ADDRESS

338 S. ORANGE STREET

SPRING
FL

33870
STATE FLORIDA

☒ INDIVIDUAL CAPACITY ☒ OFFICIAL CAPACITY

DEFENDANT No. 6

NAME O. HOLMES

JOB OR TITLE (IF KNOWN)

SHIELD NUMBER

#2696

EMPLOYER

HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL

ATTACHED (DEFENDANT(S)) PAGE 2 of 10

ADDRESS

338 S. ORANGE ST.

SEBRING
CITYFL
STATE33870
ZIP CODE☒ INDIVIDUAL CAPACITY☒ OFFICIAL CAPACITY

DEFENDANT No. 7

NAME

C. COLE

JOB OR TITLE (IF KNOWN)

OSO

SHEILD NUMBER

#2535

EMPLOYER

HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL

ADDRESS

338 S. ORANGE ST.

SEBRING
CITYFL
STATE33870
ZIP CODE☒ INDIVIDUAL CAPACITY☒ OFFICIAL CAPACITY

DEFENDANT No. 8

NAME

SUSAN BENTON

JOB OR TITLE (IF KNOWN)

SHERIFF (HIGHLANDS COUNTY)

SHEILD NUMBER

EMPLOYER

(ELECTOR'S OF) HIGHLANDS COUNTY (OFFICERS)

ADDRESS

434 FERNLEAF AVENUE

SEBRING
CITYFL
STATE33870
ZIP CODE☒ INDIVIDUAL CAPACITY☒ OFFICIAL CAPACITY

DEFENDANT No. 9

NAME

PAUL BLACKMAN

PAGE 3 of 7

ATTACHED (DEFENDANT(S))

JOB OR TITLE

SHERIFF (HIGHLANDS COUNTY)

SHIELD NUMBER (IF KNOWN)

EMPLOYER

(ELECTOR'S OF) HIGHLANDS COUNTY (OFFICERS)

ADDRESS

400 S. EUCALYPTUS ST.

SEBRING
FL
CITYFL
STATE33870
ZIP CODE☒ INDIVIDUAL CAPACITY ☒ OFFICIAL CAPACITY

DEFENDANT No. 10

NAME

J. LOTT

JOB OR TITLE

~~SHERIFF~~ SERGEANT (Sgt.)

SHIELD NUMBER (IF KNOWN)

#2191

EMPLOYER

HIGHLANDS COUNTY DETENTION FACILITY / HIGHLANDS COUNTY JAIL

ADDRESS

338 S. ORANGE ST.

SEBRING
FL
CITYFL
STATE33870
ZIP CODE☒ INDIVIDUAL CAPACITY ☒ OFFICIAL CAPACITY

DEFENDANT No. 11

NAME

HIGHLANDS COUNTY

JOB OR TITLE (IF KNOWN)

SHIELD NUMBER

EMPLOYER

ADDRESS

CITY

FL
STATE

ZIP CODE

☒ INDIVIDUAL CAPACITY ☒ OFFICIAL CAPACITY

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

N/A

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

"SEE ATTACHED"

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (*check all that apply*):

- ☒ Pretrial detainee
☐ Civilly committed detainee
☐ Immigration detainee
☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Other (*explain*) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

N/A

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

"SEE ATTACHED"

C. What date and approximate time did the events giving rise to your claim(s) occur?

"SEE ATTACHED"

D. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

"SEE ATTACHED"

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

"SEE ATTACHED"

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

"SEE ATTACHED"

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- ☒ Yes
☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Highlands County Detention Facility / Highlands County Jail

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- ☒ Yes
☐ No
☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- ☒ Yes
☐ No
☐ Do not know

If yes, which claim(s)?

"SEE ATTACHED"

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL

2. What did you claim in your grievance?

THAT MY (HON) BIRTH TRANSLATED BY M.H. SHAKER WAS (WRONGFULLY) TAKEN.

3. What was the result, if any?

"SEE ATTACHED"

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

"SEE ATTACHED"

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

N/A

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

N/A

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

N/A

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) N/A

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county and State)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition.

N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) N/A

Defendant(s) N/A

2. Court (if federal court, name the district; if state court, name the county and State)

N/A

3. Docket or index number

N/A

4. Name of Judge assigned to your case

N/A

5. Approximate date of filing lawsuit

N/A

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

ATTACHED (II. BASIS FOR JURISDICTION) PAGE 4 OF 17

II.B. RELIGIOUS FREEDOM/FREEDOM OF RELIGION

UNITED STATES CONSTITUTION (2017 EDITION)

ARTICLE 3, SECTIONS 1 & 2.

AMENDMENT 1.

AMENDMENT 4.

AMENDMENT 8.

AMENDMENT 9.

AMENDMENT 14, SECTIONS 1 & 2.

FLORIDA CONSTITUTION (2016 EDITION)

ARTICLE 1. BILL OF RIGHTS

SECTION 1. POLITICAL POWER.

SECTION 2. BASIC RIGHTS.

SECTION 3. RELIGIOUS FREEDOM.

SECTION 4. FREEDOM OF SPEECH & PRESS.

SECTION 5. RIGHT TO ASSEMBLE.

SECTION 9. DUE PROCESS.

SECTION 12. SEARCHES & SEIZURE.

SECTION 17. EXCESSIVE PUNISHMENTS.

SECTION 21. ACCESS TO COURTS.

SECTION 24(A)-(D). ACCESS TO PUBLIC RECORDS & MEETINGS.

ARTICLE 3. LEGISLATURE

SECTION 10. SPECIAL LAWS.

SECTION 11(A)(3), (4), (7), & (14). PROHIBITED SPECIAL LAWS.

ARTICLE 10. MISCELLANEOUS

SECTION 5. COVERTURE & PROPERTY.

SECTION 6(A) & (C). EMINENT DOMAIN.

SECTION 12(A)-(H). RULES OF CONSTRUCTION.

ATTACHED PAGE 5 of 16

SECTION 20(A)-(D). WORKPLACES WITHOUT TOBACCO SMOKE.

SECTION 25(A)-(C). PATIENTS' RIGHT TO KNOW ABOUT
ADVERSE MEDICAL INCIDENTS.

SECTION 26(A)-(B). PROHIBITION OF MEDICAL LICENSE
AFTER REPEATED MEDICAL MALPRACTICE.

SECTION 27(A)-(D). COMPREHENSIVE STATEWIDE TOBACCO
EDUCATION AND PREVENTION PROGRAM.

SECTION 13. SUITS AGAINST THE STATE.

SECTION 29. MEDICAL MARIJUANA PRODUCTION,
POSSESSION & USE.

(UNITED STATES CODE (2022 EDITION))

42 U.S.C. SEC. 1997e SUITS BY PRISONERS (2022 EDITION)

42 U.S.C. 2000bb RELIGIOUS FREEDOM RESTORATION ACT OF
1993) (2000bb-2000bb-4) (2022 EDITION)

42 U.S.C. 2000cc PROTECTION OF RELIGIOUS EXERCISE IN
LAND USE & BY INSTITUTIONALIZED
PERSONS (RLIRPA OF 2000) (2000cc-2000cc-5)
(2022 EDITION)

42 U.S.C. 1997d PROHIBITION OF RETALIATION (2022 EDITION)

FLA. STAT. CH. 760 FLORIDA CIVIL RIGHTS ACT (FCRA) OF 1992
(760.01-760.11 (& 509.092)) (2022 EDITION)

FLA. STAT. CH. 761 RELIGIOUS FREEDOM RESTORATION ACT
(RFRA) OF 1998 (761.01-761.061)
(2022 EDITION)

FREEDOM OF INFORMATION / PUBLIC RECORDS

ATTACHED PAGE 6 of 16

UNITED STATES CONSTITUTION (2017 EDITION)

ARTICLE 3, SECTIONS 1 & 2.

AMENDMENT 1.

AMENDMENT 5.

AMENDMENT 8.

AMENDMENT 9.

AMENDMENT 14, SECTIONS 1 & 5.

FLORIDA CONSTITUTION (2016 EDITION)

ARTICLE 1. BILL OF RIGHTS

SECTION 1. POLITICAL POWER.

SECTION 2. BASIC RIGHTS.

SECTION 3. RELIGIOUS FREEDOM.

SECTION 4. FREEDOM OF SPEECH & PRESS.

SECTION 9. DUE PROCESS.

SECTION 12. SEARCH & SEIZURES.

SECTION 17. EXCESSIVE PUNISHMENTS.

SECTION 21. ACCESS TO COURTS.

SECTION 24(A)-(G). ACCESS TO PUBLIC RECORDS & MEETINGS.

ARTICLE 3. LEGISLATURE

SECTION 10. SPECIAL LAWS.

SECTION 11(A)(3), (7), & (14). PROHIBITED SPECIAL LAWS.

ARTICLE 8. LOCAL GOVERNMENT

SECTION 1. COUNTIES. (A) POLITICAL SUBDIVISIONS, (C)

GOVERNMENT, (D) COUNTY OFFICERS, (E)

COMMISSIONERS, (F) NON-CHARTER GOVERNMENT,

(G) CHARTER GOVERNMENT, & (K) COUNTY SEAT.

ARTICLE 10

ATTACHED PAGE 7 OF 17

SECTION 5. COVERTURE & PROPERTY.

SECTION 6(A). Eminent Domain.

SECTION 12(A)-(H). RULES OF CONSTRUCTION.

SECTION 13. SUITS AGAINST THE STATE.

SECTION 25(A)-(C). PATIENTS' RIGHT TO KNOW ABOUT
ADVERSE MEDICAL INCIDENTS.

SECTION 27(A)-(D). COMPREHENSIVE STATEWIDE
TOBACCO EDUCATION AND
PREVENTION PROGRAM.

SECTION 29(A). PUBLIC POLICY. - (1)
SEVERABILITY. MEDICAL
MARIJUANA PRODUCTION,
POSSESSION, & USE.

ARTICLE 12

SECTION 6(A). LAWS PRESERVED.

SECTION 7(A)-(B). RIGHTS RESERVED.

SECTION 20. ACCESS TO PUBLIC RECORDS.

UNITED STATES CODE (2022 EDITION)

5 U.S.C. 552 PUBLIC INFORMATION; AGENCY

RULES, OPINION, ORDERS, RECORDS, &
PROCEEDINGS

FL. R. JUD. ADMIN. 2. ⁴/₂₀ PUBLIC ACCESS TO & PROTECTION
OF JUDICIAL BRANCH RECORDS

[DETAILS] (FLORIDA RULES OF
GENERAL & JUDICIAL ADMINISTRATION (2022 EDITION))

ATTACHED PAGE 8 of 18

II. D.

As employees of (THE) HIGHLANDS COUNTY DETENTION FACILITY/
HIGHLANDS COUNTY JAIL (HCD/J/HCT) THE CELL SEARCH TEAM
(C.S. TEAM) (FROM THE MORNING OF SEPTEMBER 22, 2022)
(DEFENDANTS #1) DID A CELL SEARCH OF POST ALPHA
WING 2 (OF THE HCD/J/HCT) THE MORNING OF SEPTEMBER
22, 2022. AFTER US INMATES WERE LET BACK INTO THE
WING FROM THE RECREATION/REC YARD I WENT (STRAIGHT)
TO THE CELL - CELL D - WHERE I'M (BEING) ASSIGNED/(BEING)
HOUSED (TO LIVE (FOR NOW)) & AFTER GOING THROUGH MY STUFF/
PROPERTY, AFTER SEEING THE EFFECT(S) OF THE CELL HAVING BEEN
SEARCHED BY (A) CELL SEARCH TEAM (C.S. TEAM) MEMBER(S), I
NOTICED THAT MY (HOLY) QUR'AN TRANSLATED BY M.H. OTHMAN
WAS GONE. I WAS ONE OF, IF NOT, THE LAST INMATE(S) TO
LEAVE OUT OF THE WING - WING 2 OF POST ALPHA OF (THE) HCD/J/
HCT - AFTER BEING TOLD TO GO TO THE REC YARD BY ONE OF THE
C.S. TEAM MEMBERS. AFTER I NOTICED IT WAS GONE I
WENT (STRAIGHT) TO THE DAYROOM INTERCOM & TOLD THE
OFFICER(OIC)/DETENTION DEPUTY(D/D) ABOUT THE ISSUE & WAS
TOLD IT WASN'T TAKEN, SO, I WROTE A REQUEST FORM ABOUT
IT. AGAIN, I WAS TOLD, BUT IN WRITING, THIS TIME, IT
WASN'T TAKEN, SO, I WROTE A GRIEVANCE (ON A REQUEST FORM).
ABOVE ALL, I WROTE ONE (1) REQUEST FORM, & THREE (3)
(SEPARATE/DIFFERENT) GRIEVANCES ON THREE (3) (SEPARATE/
DIFFERENT) REQUEST FORMS, & ONE (1) GRIEVANCE ON A
GRIEVANCE FORM - I DON'T KNOW WHAT HCD/J/HCT HAD
GRIEVANCE FORMS, BUT HAD I KNOWN THAT I'D'VE (I
WOULD HAVE) USED THOSE INSTEAD OF (THOSE) ADDITIONAL
REQUEST FORMS (THAT I USED TO WRITE THOSE ADDITIONAL
GRIEVANCES (ON)) - ABOUT THE (SAME) ISSUE & WAS TOLD

ATTACHED PAGE 9 OF 16

- WELL, EXCEPT FOR THE LAST ONE - (IN WRITING) EVERY TIME THAT IT WASN'T TAKEN. I WAS ALSO TOLD (IN WRITING) THAT THE CELL SEARCH TEAM (C.S. TEAM) DON'T/DOES NOT TAKE BIBLES OR RELIGIOUS BOOKS/ BIBLES OR QURANS DURING THEIR SEARCHES. AN ATTEMPT TO GIVE ME A REPLACEMENT - TWICE - FOR MY (HOLY) QUR'AN TRANSLATED BY M.H. SHAKER (FROM THE THIRDSKE TARSYLE QUR'AN, INC. (80-08 51ST AVENUE, ELMHURST, NY 11373-4141)) THAT WAS TAKEN DURING THAT CELL SEARCH & I REFUSED IT - TWICE - FOR TWO REASONS: 1) BECAUSE THAT'S NOT THE (HOLY) QUR'AN THAT WAS (WRONGLY) TAKEN FROM ME DURING THAT CELL SEARCH & IT'S NOT EVEN BY THE SAME TRANSLATOR, & 2) I ALREADY HAVE THAT ONE EVEN DURING PREVIOUS CELL SEARCHES BEFORE THAT ONE. WHY REPLACE SOMETHING THAT SUPPOSEDLY WASN'T THERE? WHY NOT REPLACE WHAT WAS THERE WITH WHAT IT IS? WITNESS (Wt.) DALE E. VAUGHN ID# 2140, HCD7/HCT (DEFENDANT #2) - HE WAS ALSO ON THE C.S. TEAM - IS THE ONE/PERSON THAT TOLD ME, IN PERSON & IN WRITING, THAT THE C.S. TEAM DOES NOT DON'T TAKE BIBLES OR RELIGIOUS BOOKS/ QURANS DURING THEIR SEARCHES AS WELL AS THE FIRST ONE/ PERSON TO OFFER ME THE QURAN TRANSLATED TO ENGLISH BY TALAL ISHAK (PERSONALLY). (I DON'T REMEMBER THE DATE NOR TIME THAT THAT HAPPENED, BUT I DO)

ATTACHED PAGE ¹⁰ 07 ¹⁰ 10

KNOW THAT HE CONTACTED RECEPTION TO ISSUE ME A REPLACEMENT & HE PERSONALLY BROUGHT IT TO ME HIMSELF & (THAT) THAT'S ON CAMERA. (ON OR AROUND 10/07/2022.) HE REFUSED TO GIVE ME MY (HOLY) QUR'AN BACK. HE SAID - AS A RESPONSE TO MY GRIEVANCE, "... AFTER REVIEWING THE CAMERA FOOTAGE AND SPEAKING WITH THE DEPUTY THAT SEARCHED YOUR CELL, THERE WAS NOT A QUR'AN UNDER YOUR MATTRESS LIKE YOU SAID..." (10/7/2022) & I STILL HAVEN'T BEEN TOLD WHO THAT DEPUTY IS/ WAS, BUT HE KNOWS (WHO IT WAS). CAPTAIN (CAPT.) BOBBY J. GREEN ID#2088, HCD7/HCT (DEFENDANT #3) RATHER THAN (ACTUALLY) REPLY TO MY GRIEVANCE - AFTER I HAD ALREADY TALKED TO HIM PERSONALLY/IN PERSON ABOUT THE ISSUE/SITUATION IN WHICH HE TOLD ME IT - MY (HOLY) QUR'AN - WASN'T TAKEN - HE RESPONDS, "SEE LT. VAUGHAN'S RESPONSE," WHO SENT ME BACK MY ATTACHED PAGES ALONG WITH A COPY OF THE PREVIOUS GRIEVANCE I'D WRITTEN & SENT TO RECEPTION /HIM - CAPT. (BOBBY J.) GREEN (ID#2088, HCD7/HCT) DATED OCT 2, 2022, BY ME & 10/7/2022, BY HIM. THE LAST GRIEVANCE I WROTE - ON A REQUEST FORM - I SENT IT TO CAPTAIN (CAPT.) PENNARVIS - HE DIDN'T EVEN REPLY TO IT - MAJOR TIMOTHY J. WETHBRIDGE ID#2003, (BOTH) HCD7/HCT (BOTH) DEFENDANTS #4) REPLIED, "THE TRASH WAS CHECKED AFTER YOUR FIRST REQUEST AND NO QUR'AN WAS FOUND. YOU WERE OFFERED A

ATTACHED PAGE ~~10~~¹ OF ~~10~~¹⁷

QURAN BECAUSE THE DETENTION FACILITY TRIES TO STOCK AND SUPPLY VARIOUS HOLY TEXTS. I HAVE BEEN TOLD YOU REFUSED. THE ONLY RESOLUTION I CAN OFFER IS THE SAME; IF YOU READ A QURAN WE WILL SHIP A QURAN." (10/26/2022) (THE) HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL (HCDJ/HCT) (DEFENDANT(S) #5) BECAUSE THAT'S/ITS THEIR - DEFENDANTS #1-4, 6, 7, & 10 - EMPLOYER/PLACE OF EMPLOYMENT, D. HOLMES ID#2696, HCDJ/HCT & DSO C. COLE ~~ID#25~~^{ID#25} 35, HCDJ/HCT (DEFENDANTS #6 & 7) HAVE DENIED STUFF THAT HAVE/HAS BEEN SENT-DONATED - TO ME FROM (THE) TAHIRKE TARIQUE QURAN, INC. (80-08 51ST AVENUE, ELMHURST, NEW YORK 11373-4141) BECAUSE IT IS "MATERIAL THAT VIOLATES THE HIGHLANDS COUNTY SHERIFF'S OFFICE POLICIES" BECAUSE IT IS "MAIL SENT IN AN ENVELOPE" & TO "PLZ ADV FRIENDS AND FAMILY THAT WE ARE A POST CARD ONLY FACILITY." WHAT WAS SENT FROM THERE - I DON'T KNOW BECAUSE I'VE NEVER SEEN WHAT WAS SENT (TO ME) - THIS (A) RELIGIOUS BOOK(S) &/OR MATERIAL(S) SUCH AS RELIGIOUS LITERATURE, HOWEVER, IT MIGHT'VE BEEN A (HOLY) QURAN EVERY ISSUE (THEY SENT WHATEVER) IT WAS THAT WAS SENT TO ME). ONE (1) OF THE MAIL RETURN NOTICES THAT I GOT/HAVE - 9.9.2021 - SAYS, "MOST RELIGIOUS BOOKS WILL BE APPROVED BUT

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YOU DID NOT REQUEST THE TITLE FOR PRE-APPROVAL.

RETURNED." HOW WOULD I KNOW THE TITLE OF (A) (RELIGIOUS) BOOKS/LITERATURE THAT'S TO BE DONATED (I SENT) TO ME IF THE (RELIGIOUS) BOOK(S)/LITERATURE TO BE DONATED COULD BE ANY BOOK ON

THEIR CATALOG & THERE'S NO GUARANTEE THAT THEY CAN & WILL DONATE ANYTHING? SUSAN DENTON, SHERIFF (HIGHLANDS COUNTY) & PAUL BLACKMAN, SHERIFF (HIGHLANDS COUNTY) (DEFENDANTS #8 & 9)

BECAUSE THEY ARE THE SHERIFF'S OF HIGHLANDS COUNTY & HAVE A DUTY TO HIGHLANDS COUNTY & (THE) HIGHLANDS COUNTY SHERIFF'S OFFICE, WHICH INCLUDES (THE) HIGHLANDS COUNTY DETENTION FACILITY / HIGHLANDS COUNTY JAIL (HCDT/HCT). SERGEANT (Sgt.) J. WOTT ID# 2191, HCDT/HCT (DEFENDANT #10)

REFUSED/REFUSED TO MAKE COPIES OF (I SENT) TO ME WHAT I REQUESTED FROM THE LAW LIBRARY WHICH PERTAINS TO PRO SE PURPOSES SUCH AS ME TRYING TO GET A FORM 12.982(A) PETITION FOR CHANGE OF NAME (ADULT) (FLORIDA FAMILY LAW RULES OF PROCEDURE - FORMS (2022 EDITION)) AS WELL AS OTHER INFORMATION. HIGHLANDS COUNTY, FLORIDA

(DEFENDANT #11) IS THE COUNTY WHICH EMPLOY & IS OVER THE SHERIFF'S & THEIR JURISDICTION/EMPLOYMENT.

IV.B. 1) THE ISLAMIC DONATION(S) (TO ME) FROM (THE) TAARIKE TARSIIE QUR'AN, INC. (80-08 51ST AVENUE, ELMHURST, NY 11373-4141) HAPPENED IN/AT (THE)

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HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL (HCDJ/HCTJ) NOVEMBER 20, 2020, AUGUST 13, 2021, 9.9.2021, & FEBRUARY 28, 2022. 2) SEPTEMBER 22, 2022, IN POSE ALPHA WING & CELL D OF (THE) HCDJ/HCTJ. (ON) THE MORNING OF SAID DATE THE C.O. TEAM DID A CELL SEARCH OF THE WING & WHOEVER THE C.O. TEAM MEMBER IT WAS THAT WENT INTO CELL D - WHERE I WAS, & STILL AM, ASSIGNED/HOUSED (TO LIVE AT THE TIME OF THE ISSUE/INCIDENT) - TOOK MY (HOLY) QUR'AN TRANSLATED BY M.H. SHAKER (& THEN, LIVED ABOUT IT ONCE CONFRONTED ABOUT IT BY A SUPERIOR OFFICER (M.C.)/DETENTION DEPUTY (D/D) - FROM WHAT I WAS TOLD (IN WRITING BY LIEUTENANT (LT.) DALE E. VAUGHN ID# 21⁴⁰, HCDJ/HCTJ (DEFENDANT #2)) & STILL AM (BEING ASSIGNED/HOUSED (TO LIVE (FOR NOW))). I'M ADDING LT. ROYENOUR ID# 2034, HCDJ/HCTJ AS DEFENDANT #12 BECAUSE HE (STILL) HASN'T GIVEN ME (BACK) THE/MY ATTACHED PAGES TO THE GRIEVANCE I WROTE ON A GRIEVANCE FORM - THE LAST GRIEVANCE I WROTE - AS WELL AS (HE) REFUSES TO GIVE ME REQUESTED DOCUMENTS FROM THE LAW LIBRARY; (THE) STATE OF FLORIDA AS DEFENDANT(S) #13 BECAUSE THIS IS THE STATE WE'RE IN & WHO'S^{CONSTITUTION} LAWS IS LAW/GOVERN(S) IT; & (THE) UNITED STATES (OF AMERICA) AS DEFENDANT(S) #14 BECAUSE THIS IS THE COUNTRY/NATION WE'RE IN & WHO'S CONSTITUTION GOVERN THE COUNTRY/NATION.

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IV. C. 1) I'M NOT SURE OF THE (EXACT) TIMES (OF THE DENIALS). 2) (THE MORNING OF) SEPTEMBER 22, 2022, IN CELL D OF POST ALPHA WING 2 (IN THE) HCD #/HCT, HOWEVER, I'M NOT SURE OF THE (EXACT) TIME.

III. D. THAT (A FORM OF) RELIGIOUS DISCRIMINATION WAS HAPPENING TO ME. I'M (CONSTANTLY) BEING PUNISHED OFF & DENIED MY PROPERTY BEING GIVEN BACK OR REPLACED WITH THE (EXACT) SAME THING THAT WAS TAKEN - AT LEAST - OR WITH THE PROPER REPLACEMENT OF THE (EXACT) SAME THING (AS WAS TAKEN BY THAT C.S. TEAM MEMBER). I'M NOT SURE WHO SEEN WHAT BECAUSE I WAS ON THE (POST ALPHA) RECREATION YARD AT THE TIME, BUT (I DO KNOW) THE CAMERAS (DOES) (KNOW WHO DID & WHO KNOWS). CAPTAIN BOBBY J. GREEN ID#2088, HCD #/HCT (DEFENDANT #3), MAJOR TIMOTHY J. WETHBRIDGE ID#2063, HCD #/HCT (DEFENDANT #4), SERGEANT (SGT.) J. LOTT ID#2191, HCD #/HCT (DEFENDANT #10), ABOVE ALL, ALL THE DEFENDANTS LISTED IN THE CAPTION & ALL THE DEFENDANTS IN I.B. (I PARTIES TO THIS COMPLAINT B. THE DEFENDANTS) AS WELL AS ALL (THE) DEFENDANTS LISTED IN IV. B. (III STATEMENT OF CLAIM)

V. I ~~DON'T~~ RECEIVE ANY PHYSICAL INJURY/INJURIES, BUT I DO FEEL IT/THEM EMOTIONALLY & SPIRITUALLY. EMOTIONALLY BECAUSE I ONLY HAVE THAT SAME JOY/HAPPINESS (& PEACE) & LIGHT IN MY LIFE & HEART THAT I ONCE HAD/FEEL WHEN I

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DID HAVE, OR HAD, MY (HOLY) QUR'AN TRANSLATED BY M. H. SHAKER, WHICH I (USED TO) READ EVERYDAY (& (EVERY) NIGHT). SPIRITUALLY BECAUSE I FEEL A/THE DARKNESS OF IGNORANCE THAT ONLY (THE) SHAIKAT BRINGS/LIVES TO ALLAH'S PEOPLE (WHO ARE EITHER WITH, OR HAVE, IT & ARE LOVING IT, HAD IT & LOST IT, OR NEVER HAD IT & (THEREFORE) ARE ~~MY TRUE SELF~~ WITHOUT IT). THE LIGHT OF TRUTH, WHICH IS THE LIGHT OF ISLAM (WHICH IS THE TRUE RELIGION/CULTURE OF/WITH ALLAH) & IS THE & MY PATHWAY TO ALMIGHTY GOD (ALLAH) (THE BENEFICENT, THE MERCIFUL). EVEN MY RIGHTEOUS BROTHER (BY THE NAME OF) JESUS KNEW THAT (AS WELL AS ALL) THE OTHER PROPHETS (DID) (PEACE BE UPON THEM)). I KNOW THAT I HAVE TO BE THE SAVIOUR OF SELF BY BORNING ~~OR~~ OR COMPLETING MYSELF SO THAT I CAN BE OR BORN SELF MORE AS WELL AS OTHERS THEMSELVES WITH MY, OR ALLAH'S, HELP, DIRECTION, GUIDANCE, &/OR INSTRUCTION(S), HOWEVER, THAT PERSON OR THOSE PEOPLE HAVE TO GENUINELY WANT TO BE REFINED & REFORMED. IN OTHER WORDS, THE UN-CIVILIZED HAVE TO (TRULY) WANT TO LIVE A CIVILIZED LIFE. I'M NOT PERFECT. NEVER HAVE BEEN, NOT NOW, & NEVER WILL BE. EVEN I HAVE TO STUDY AS WELL AS OVERCOME (SOME) BAD CHARACTERISTICS (ABOUT MYSELF). DON'T WE ALL?

VI. MAKE AN ORDER THAT I BE ALLOWED TO PRACTICE (& LIVE) MY RELIGION/CULTURE (ISLAM) (- NATION OF GODS AND EARTHS (N/G/E)-) & ESTABLISH IT WITHOUT HINDERANCE &/OR DISCRIMINATION, I.E., BEING DISCRIMINATED AGAINST, AS

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WELL AS BEING AWARDED ~~+\$1B~~ ^{DOLLARS OR MORE} ~~(\$1 BILION OR MORE)~~ ^{+\$1,000,000,000 OR MORE} FOR MY (HOLY) QUR'AN ~~TRANSLATED~~ ^{TRANSLATED} BY M.H. SHAKIR BEING TAKEN (BY THE CELL SEARCH TEAM (C.S. TEAM) MEMBER DURING THE MORNING OF SEPTEMBER 22, 2022, CELL SEARCH OF CELL D IN POST ALPHA WING 2 IN (THE) HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL (HCDJ/HCT)) ~~+\$1M~~ ^{+\$1,000,000 OR MORE} ~~(1 MILLION DOLLARS OR MORE)~~ ^{FOR THE VERBAL CONVERSATIONS (THAT) I'VE HAD TRYING TO GET IT BACK AS WELL AS (FOR) EVERYDAY THAT I'VE HAD TO PREPARE, WRITE, & WAIT FOR THE RESPONSES TO MY REQUESTS & GRIEVANCES AS WELL AS (FOR) EVERYDAY (THAT) I'VE (WRONGLY) BEEN WITHOUT IT - & FOR FILING THIS SECTION 1983 - SINCE THE MORNING OF THE CELL SEARCH TEAM'S (C.S. TEAM'S) CELL SEARCH OF CELL D IN POST ALPHA WING 2 IN (THE) HCDJ/HCT THE MORNING OF SEPTEMBER 22, 2022, WHEN ~~IT~~ WAS (WRONGLY) TAKEN (FROM ME) BY A C.S. TEAM MEMBER & HAVING TO FILE THIS SECTION 1983.}

VII. C. THAT MY (HOLY) QUR'AN TRANSLATED BY M.H. SHAKIR WAS (WRONGLY) TAKEN (FROM ME) DURING THE C.S. TEAM'S CELL SEARCH OF CELL D IN POST ALPHA WING 2 OF (THE) HCDJ/HCT THE MORNING OF SEPTEMBER 22, 2022, BY A C.S. TEAM MEMBER.

VII. E. 2. DURING THE C.S. TEAM'S CELL SEARCH OF CELL D IN POST ALPHA WING 2 OF (THE) HCDJ/HCT THE MORNING OF SEPTEMBER 22, 2022, BY A C.S. TEAM MEMBER.

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VII.E.3. I'VE HAD VERBAL CONVERSATIONS ABOUT THE SITUATION/ISSUE I HAVE, SINCE THEN, ABOUT THE (SAME) SITUATION/ISSUE, WRITTEN ONE (1) REQUEST FORM, THREE (3) GRIEVANCES ON THREE (3) SEPARATE/DIFFERENT REQUEST FORMS, & ONE (1) GRIEVANCE ON A GRIEVANCE FORM OF/FOR WHICH LIEUTENANT (LT.) RETENOUR ID#2034, HCD 7/HCT (DEFENDANT #12) (STILL) HAVN'T GIVEN ME (BACK) THE/MY ATTACHED PAGES TO IT.

VII.E.4. I WROTE ~~ONE~~ ^{TWO (2) ADDITIONAL} GRIEVANCES ON TWO (2) (MORE) REQUEST FORMS AFTER I WROTE THE FIRST (1ST) GRIEVANCE ON A REQUEST FORM - I DIDN'T KNOW (THAT) HIGHLANDS COUNTY DETENTION FACILITY/HIGHLANDS COUNTY JAIL (HCD 7/HCT) HAD GRIEVANCES FORMS; HAD I KNOWN THAT I'D'VE (I WOULD ~~USE~~ ^{HAVE}) USED THOSE INSTEAD OF (THOSE) ADDITIONAL REQUEST FORMS (THAT I USED TO WRITE THOSE ADDITIONAL GRIEVANCES (ON)). HONESTLY, YES; IN PART, I THINK/BELIEVE THAT THE GRIEVANCE PROCESS IS COMPLETE(D) BECAUSE I WROTE ONE - A GRIEVANCE ON A GRIEVANCE FORM - & GOT IT/THAT BACK, BUT, NO, IN PART, I THINK/BELIEVE THAT THE GRIEVANCE PROCESS ISN'T COMPLETE(D) BECAUSE I DIDN'T GET THE ATTACHED PAGES BACK. THAT'S WHY IT'S TAKEN ME SO LONG TO FILE THIS, BUT, HONESTLY, WHAT CHOICE DO I HAVE NOW? IT'S BEEN ALMOST A MONTH SINCE I'VE WRITTEN THE GRIEVANCE - ON A GRIEVANCE FORM - & TEN (10) DAYS ACCORDING TO THE DATES GOING ON/COMING UP ON A MONTH.

NOTE: I'M THE ONLY MEMBER OF MY RELIGION/CULTURE (ISLAM) (- NATION OF GODS AND EARTHS (NGE) -) HERE UNLESS I SAY OTHERWISE.

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

12/13/2022

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Roosevelt Smith IIIROOSEVELT SMITH IIIHCS005MNI022004338 S. ORANGE ST.SEBRONA

City

FL

State

33870

Zip Code

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

00sevelt Shavar Smith
338. S. Orange St.
Sebring Fh. 33870



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